

**PROPOSED REGULATION OF THE  
STATE BOARD OF HEALTH**

**LCB File No. R121-05**

September 28, 2005

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §§1-3, NRS 449.037.

A REGULATION relating to home health agencies; eliminating the requirement that coverage of insurance for liability of a home health agency must be verified when the annual application for a license to operate a home health agency is submitted; requiring a home health agency to maintain certain health records for each employee of the agency; and providing other matters properly relating thereto.

**Section 1.** NAC 449.758 is hereby amended to read as follows:

449.758 1. Each license is separate and is issued to a specific person to operate a home health agency at a specific location. The home health agency must be operated and conducted in the name designated on the license with the designated service area and the name of the person responsible for its operation also appearing on the face of the license. The license is not transferable.

2. A separate license is required for each subunit agency.

3. Copies of the original license must be issued for each agency or branch of an agency which is maintained on separate premises under the same management.

4. Each home health agency must have proof that it is adequately covered against liabilities resulting from claims incurred in the course of operation . ~~[and must verify this coverage upon its annual application to the Health Division.]~~

**Sec. 2.** NAC 449.782 is hereby amended to read as follows:

449.782 A home health agency shall establish written policies concerning the qualifications, responsibilities and conditions of employment for each type of personnel, including licensure if required by law. The written policies must be reviewed as needed and made available to the members of the staff and the advisory groups. The personnel policies must provide for:

1. Wage and hour policies;
  2. Eligibility for vacation, sick leave and other fringe benefits;
  3. The orientation of all health personnel to the policies and objectives of the agency, training while on the job, and ~~contributing~~ *continuing* education;
  4. Periodic evaluation of employees' performances;
  5. Job descriptions for each category of personnel which are specific and include the type of activity each may carry out;
  6. The maintenance of employee records which confirm that personnel policies are followed; *and*
  7. The ~~[annual testing of all employees who have contact with patients for tuberculosis pursuant to NAC 441A.375; and~~
  - ~~—8.— A health record to be on file with the agency which must comply with the CDC Guideline for Isolation Precautions in Hospitals, February 1, 1996, edition, which the State Board of Health hereby adopts by reference. A copy of the publication may be obtained from the National Technical Information Service of the Centers for Disease Control and Prevention Research Department, 5285 Port Royal Road, Springfield, Virginia 22161, for the price of \$23.50.]~~
- maintenance of a health record for each employee as required by NAC 441A.375.*

**Sec. 3.** NAC 449.787 is hereby amended to read as follows:

449.787 A home health agency is directly responsible for providing skilled nursing care and home health *aide* services, and may include other services such as physical therapy, occupational therapy, speech therapy, medical-social services, nutritional guidance, pharmaceutical services, appliances and equipment services.